

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S of unnamed private road approx.		
50ft. W of c/l of Park Heights Avenue	*	ZONING COMMISSIONER
4 th Election District		
5th Councilmanic District	*	OF BALTIMORE COUNTY
11962 Park Heights Avenue		
Eugene O. Reynolds, et ux	*	CASE NO. 99-259-A
Petitioners		

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Eugene O. Reynolds and Loretta P. Reynolds, his wife, property owners, for that property known as 11962 Park Heights Avenue in the Owings Mills section of Baltimore County. The Petitioners herein seek a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 18 ft., in lieu of the required 50 ft., for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.


Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of February, 1999 that the Petition for an Administrative Variance from

ORDER RECEIVED FOR FILING
 Date 2/16/99
 By [Signature]

Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 18 ft., in lieu of the required 50 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR
BALTIMORE COUNTY

LES:mmn

ORDER RECEIVED FOR FILING
2/16/99
M. G. G. G.



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

February 11, 1999

Mr. and Mrs. Eugene O. Reynolds.
11962 Park Heights Avenue
Owings Mills, Maryland 21117

RE: Petition for an Administrative Variance
Case No. 99-259-A
Location: 11962 Park Heights Avenue

Dear Mr. and Mrs. Reynolds:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
Encl.





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11962 Park Heights Avenue
which is presently zoned R.C.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.2 to permit a side

yard setback of 18 ft. in lieu of the required 50 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Mr. Eugene O. Reynolds

Name - Type or Print

Signature

Mrs. Loretta P. Reynolds

Name - Type or Print

Signature

11962 Park Heights Avenue

410-356-6704

Address

Owings Mills

MD

Telephone No.
21117-1518

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11 day of January, 1999, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-259-A

Reviewed By PR Date 1/11/99

REV 9/15/98

Estimated Posting Date 1/24/99

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 11962 Park Heights Avenue
Address
Owings Mills MD 21117-1518
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We plan to construct a 10'x16' foyer onto our existing 40-year old cape cod house. The west corner of the new foyer construction, will extend 10' in front of the house, and will fall approximately 19½ feet inside our property line. West of the house is our driveway which is partially on a 17' right-of-way access strip, to be kept forever open. The property adjacent to this right-of-way access strip on the west side, is an approximate acre wetland parcel, ground that is saturated with springs. To the south of our property is an unnamed private road that is used and maintained by five households. Our new construction will not affect any neighboring property. Therefore, we request an administrative variance to construct this foyer.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Eugene O. Reynolds
Signature

Eugene O. Reynolds
Name - Type or Print

Loretta P. Reynolds
Signature

Loretta P. Reynolds
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared _____

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

12/17/98
Date

Marsha E. Sepulveda
Notary Public

My Commission Expires 5/1/2000

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 11962 Park Heights Avenue
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Owings Mills MD 21117-1518
City State Zip Code

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That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Eugene O. Reynolds
Signature
Eugene O. Reynolds
Name - Type or Print

Loretta P. Reynolds
Signature
Loretta P. Reynolds
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

12/17/98
Date

Marsha E. Sepinto
Notary Public
My Commission Expires 5/1/2000



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11962 Park Heights Avenue
which is presently zoned R.C.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 A04.3. B.2 to permit a side

yard setback of 18 ft. in lieu of the required 50 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Mr. Eugene O. Reynolds

Name - Type or Print

Signature

Mrs. Loretta P. Reynolds

Name - Type or Print

Signature

11962 Park Heights Avenue

410-356-6704

Address

Owings Mills

MD

Telephone No.

21117-1518

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11 day of January, 1999 that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-258-A

Reviewed By Bh Date 1/14/99

REV 9/15/98

Estimated Posting Date 1/24/99

#3 ZONING DESCRIPTION FOR 11962 Park Heights Avenue.

Beginning at a point on the North side of an unnamed private road which is 11 feet paved wide at the distance of approximately 500 feet West of the centerline of the nearest improved intersecting street Park Heights Avenue which is approximately 50 feet. Being recorded in Baltimore County Plat Book # 4243, Folio # 126, containing 0.56 acre. Also known as 11962 Park Heights Avenue and located in the 4th Election District, 5th Councilmanic District.

Typical metes and bounds: N.49° 54' W 259', N.65° 58' E.133', S.36° 15' E.227.7', S.55° 8' W.77' to the place of beginning.

99-259-A

#259

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 062430

DATE 1/11/99 ACCOUNT R001-6150

AMOUNT \$ 50.00

RECEIVED FROM: Lorelta Reynolds

FOR: cash o/c zoning violation

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Form 1259

PAID RECEIPT

ISSUED BY: 1/11/99 1/11/99 062430
BY: CASHIER 1/11/99 062430
\$ 50.00 PAID RECEIPT
RE: cash o/c zoning violation
CE: NO. 062430

50.00 CASH
Baltimore County, Maryland

99-259-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 99-259-A
PETITIONER/DEVELOPER:
(Eugene Reynolds)
DATE OF CLOSING
(Feb. 8, 1999)

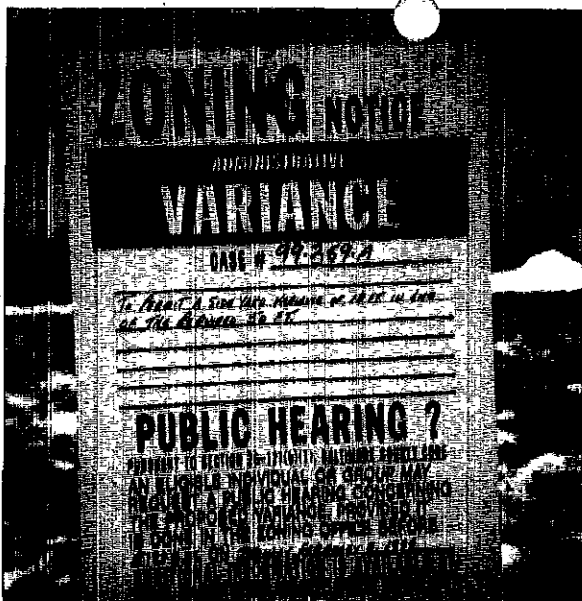
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
11962 Parks Heights Ave. Owings Mills, Maryland 21117_____

The sign(s) were posted on_____ 1-22-99 _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 99- 259 -A Address 11962 Park Heights Ave.Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 1/11/99 Posting Date: 1/24/99 Closing Date: 2/8/99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 99- 259 -A Address 11962 Park Heights Ave.Petitioner's Name Eugene & Loretta Reynolds Telephone 410-356-6704Posting Date: 1/24/99 Closing Date: 2/8/99Wording for Sign: To Permit a side yard variance of 18 ft. in lieu
of the required 50 ft.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 259

Petitioner: Eugene O. and Loretta P. Reynolds

Location: 11962 Park Heights Avenue, Owings Mills, MD 21117-1518

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Eugene and Loretta Reynolds

ADDRESS: 11962 Park Heights Avenue

Owings Mills, MD 21117-1518

PHONE NUMBER: 410-356-6704

AJ:ggs

(Revised 09/24/96)

99-259-A

#259



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 8, 1999

Mr. & Mrs. Eugene O. Reynolds
11962 Park Heights Avenue
Owings Mills, MD 21117

RE: Item No.: 259
Case No.: 99-259-A
Location: 11962 Park Heights Ave

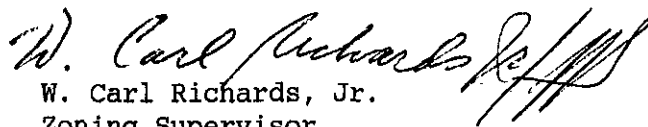
Dear Mr. & Mrs. Reynolds:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 11, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 2/3/99

FROM: R. Bruce Seeley, Project Manager *ROS/JS*
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s:

259

261

262

264

266

267



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

January 28, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 25, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

259 261, 262, 263, 264, 265, 266 and 267

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: January 28, 1999

FROM: *Sub* Robert W. Bowling, Supervisor
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for February 1, 1999
Item Nos. 259 261, 266. and 267

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE0201.NOC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 1.22.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 259 BR

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PN
28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: January 28, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 259, 261, and 263

If there should be any questions or this office can provide additional information, please
contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Jeffrey M. Long

AFK/JL

#2

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

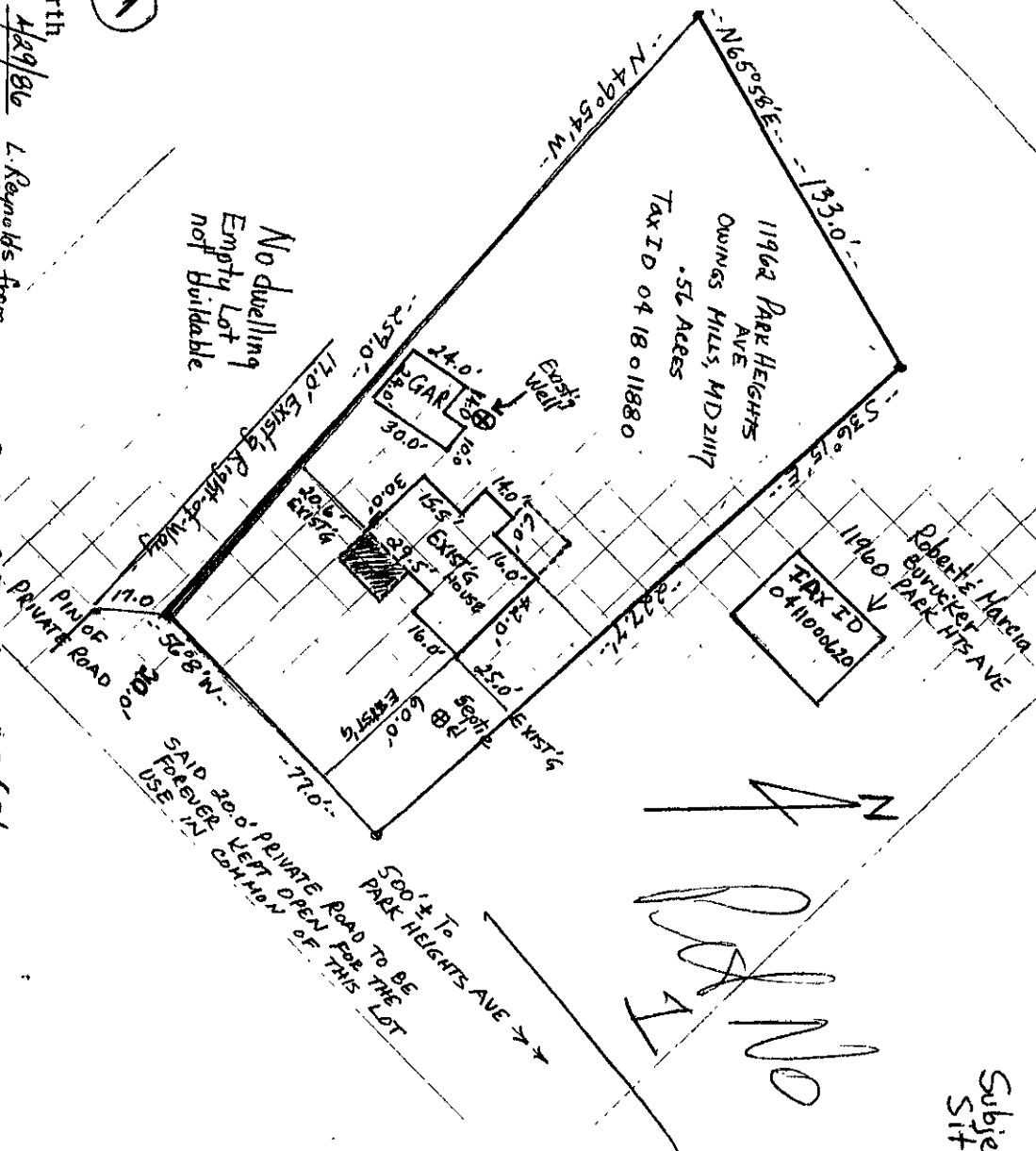
PROPERTY ADDRESS: 11962 Park Heights Ave

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

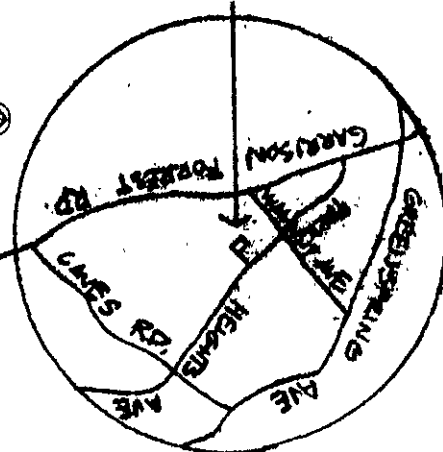
plat book # 4343 folio # 126 lot # _____ section # _____

OWNER: EUGENE O. & LORETTA P. REYNOLDS



Handwritten signature/initials

Subject Site



LOCATION INFORMATION

Election District: 4th

Councilmanic District: 5th

1" = 200' scale map #: N.W. 15-G

Zoning: R.C.5

Lot size: 0.56 24,393
acreage square feet

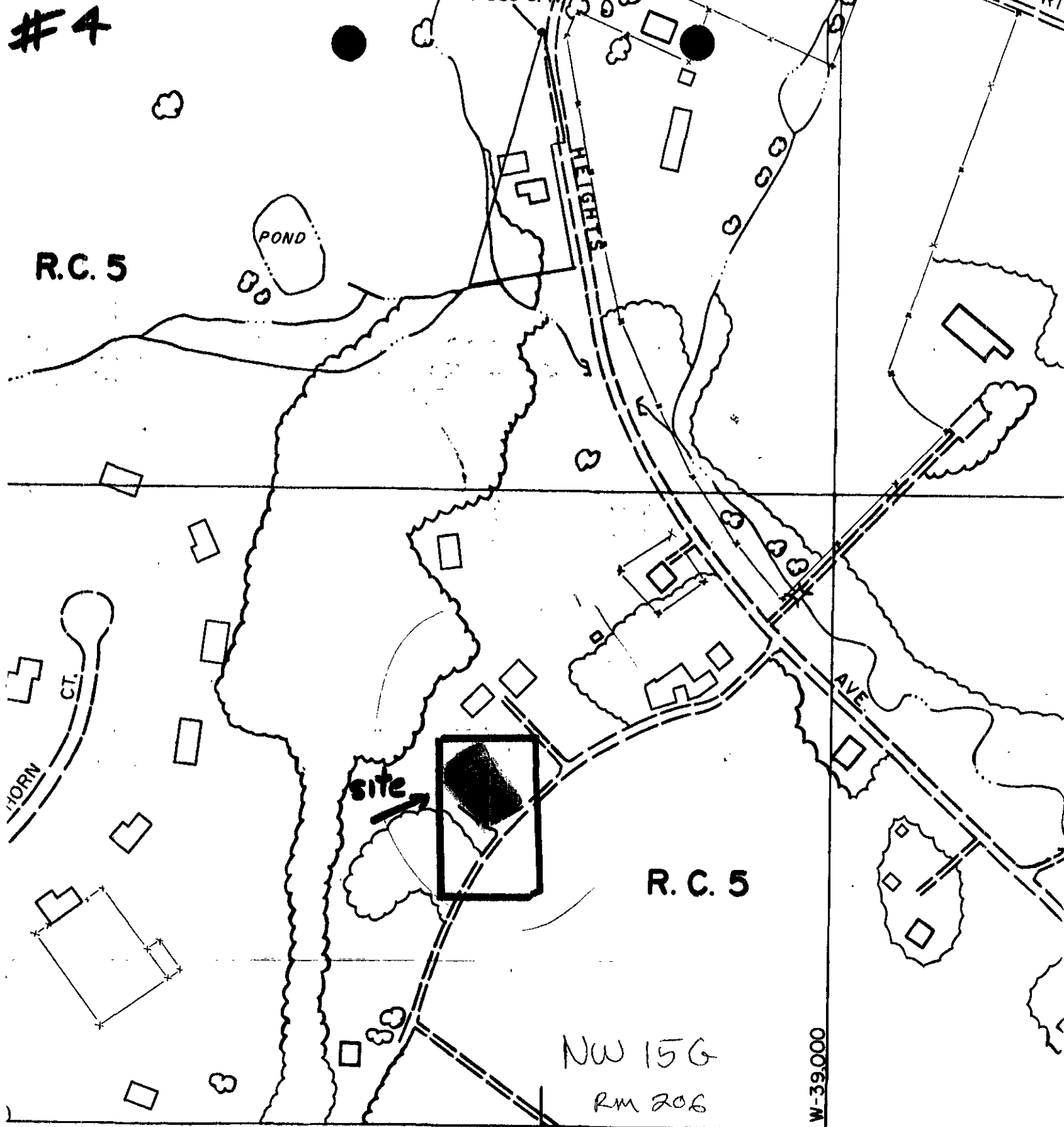
SEWER: ☐ public ☒ private
WATER: ☐ ☒
Chesapeake Bay Critical Area: ☐ ☒
Prior Zoning Hearings: D

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

259 99-259-A

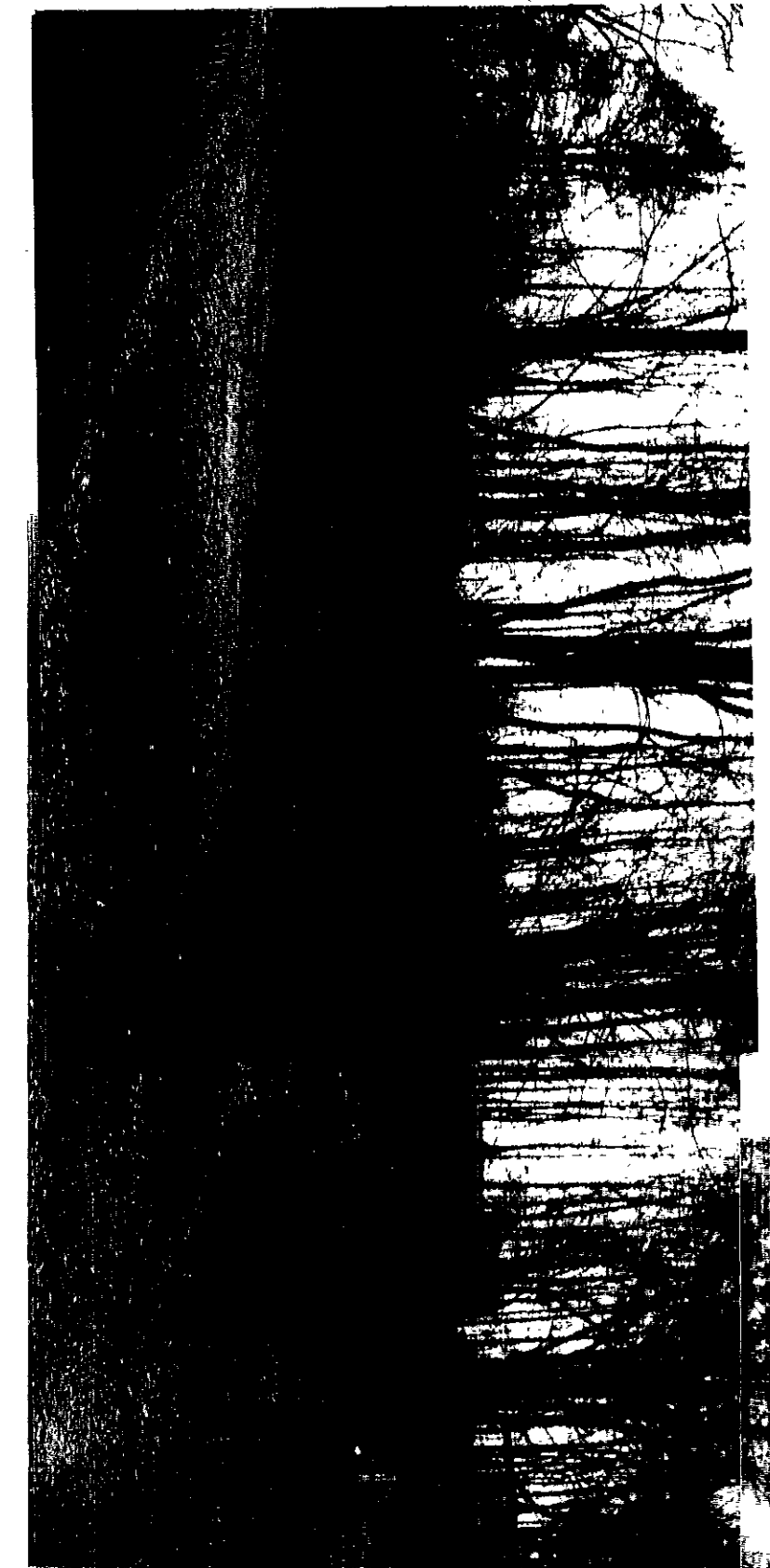
99.259.A



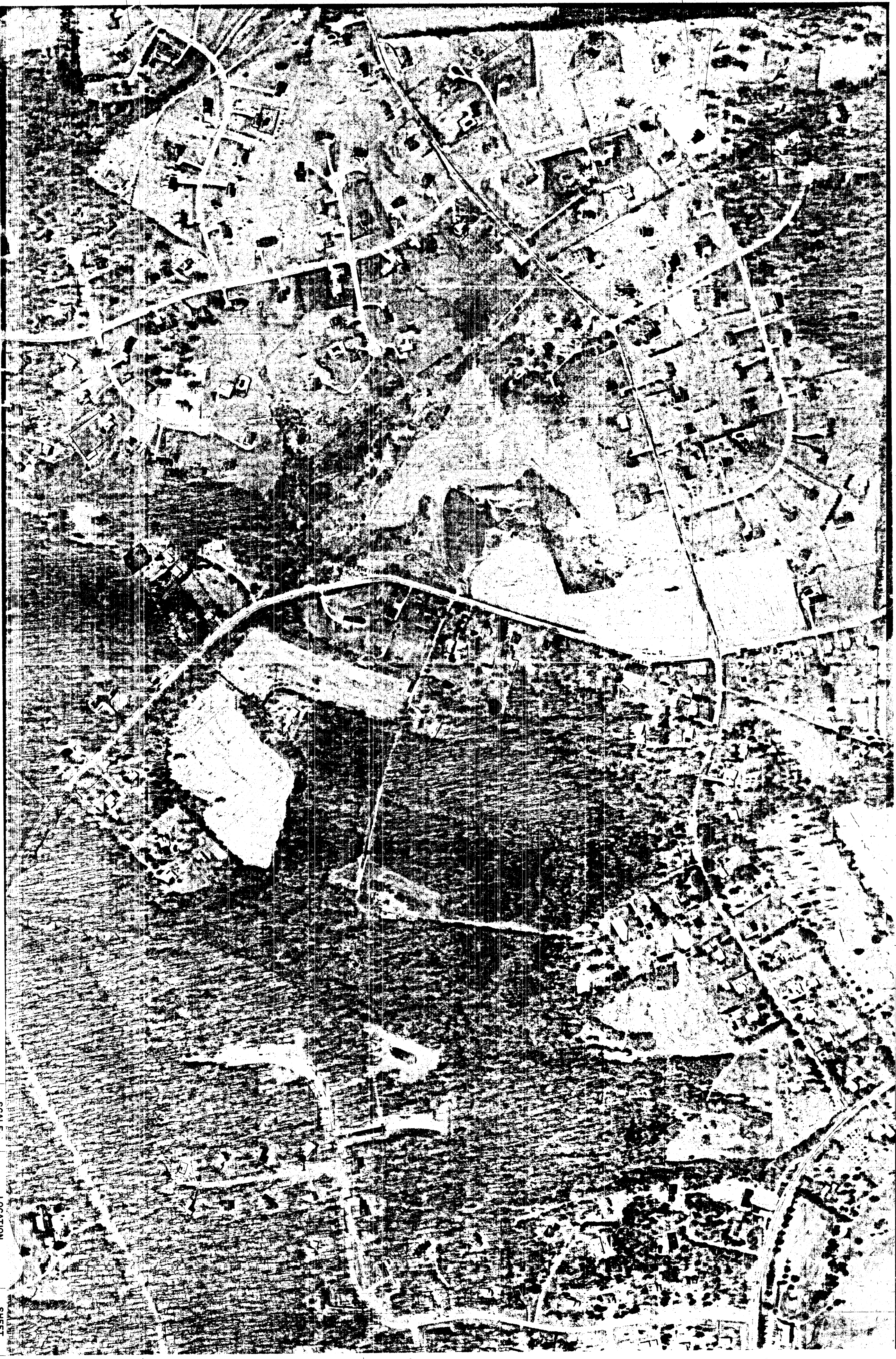
AP
IL
14-96, 135-96
— #259

99.259-A **BALTIMORE COUNTY**
OFFICE OF PLANNING AND
OFFICIAL ZONING

(SHEET N.W. 14-G)



99.259-A



99-259-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
#259 PHOTOGRAPHIC MAP

SCALE

1" = 200'

LOCATION

WORTHINGTON

SHEET

NW
15-6

DATE
OF
PHOTOGRAPHY
JANUARY
1986

MICROFILMED